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OCT 24 2005

PATENT

Attorney Docket No. A-68752/RFT/THR (467084-38)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HAMMERMAN, *et al.*

Serial No: 09/224,460

Filed: December 29, 1998

For: *Composition and Method for
Improving Function of Embryonic
Kidney Transplants*

Examiner: DAVIS, Ruth A.

Group Art Unit: 1651

CERTIFICATE OF MAILING

I hereby certify that this correspondence, and its listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: _____

Signature _____
Jere Valles

DECLARATION PURSUANT TO 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Marc R. Hammerman, do declare and state as follows:

1. I am a citizen of the United States of America and reside in St. Louis, Missouri.
2. I am a named co-inventor of the above-identified application.
2. I have reviewed the September 21, 2001 Hammerman Declaration, which was

filed in the instant application. I note that there is an error in that Declaration. The relevant portions of the declaration state: "Ms. Rogers and I are co-inventors of the subject matter claimed relating to growth factor treatment of metanephric tissue prior to transplantation into the recipient and at the time of the ureteroureterostomy" and "Sharon A. Rogers and I are co-

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inventors of the method of pretreatment of metanephric tissue with growth factors before transplantation and the method of treating implanted metanephric tissue by bathing it in growth factors-containing solution at the time of ureteroureterostomy." See Hammerman Declaration at Paragraphs 2 and 4, respectively.

4. However, I am the sole inventor of the method of pretreatment of metanephric tissue with growth factors before transplantation. Sharon A. Rogers and I are co-inventors of the subject matter relating to growth factor treatment of metanephric tissue at the time of ureteroureterostomy.

5. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001 and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 7/20/04

Signed: 

Marc R. Hammerman